SOUTHERN DISTRICT OF NEW YORK	X
TAFARI BARNETT, Plaintiff(s),	10 CIV 3899
	Hon. Ronald L. Ellis
-against-	DECLARATION
MOUNT VERNON POLICE DEPT., DETECTIVE BAIA, DETECTIVE BONCARDO Defendant(s).	x
HINA SHERWANI, an Assistant in the Office of t Hottinger,	he Corporation Counsel, Loretta
I make this Declaration solely to annex Exhibits i	in Support of the Motion To Dismiss in
the above captioned matter.	
A. Police Report and Investigation incorporations Complaint B. Plaintiff's Amended Complaint	ted by Plaintiff in his Amended

Dated:

Mount Vernon, New York

April 10, 201 /

Yours, etc.

Loretta J. Hottinger Corporation Counsel Attorney for Defendant The City of Mount Vernon Office and PO Address One Roosevelt Square Mount Vernon, New York 10550

By: Hina Sherwani (HS 8283)

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Page 2 of the NYS Domestic Inc STATEMENT OF ALLEGATIONS / SUPI	PORTING DEPOSITION
	SUBJECT CLARAFTER MITT TARAM
1. Durieur Douse (victim/deponent name), state that	on 05/23/07. (date) at 4:30 am
Yo (nombre de victima/deponente), declaro q	
(donde el incidente ocurrio), el condado/ciudad/aldea/pueblo de	of the state of New York, the following did occur: _, del estado de Nueva York, lo siguiente occurio:
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Declaraciones falsas hechas aqui son castigables como una clase de del ley penal.	Norm
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Victim/Deponent Signature	Date signed, this DIR form will be filed with law enforcement.
Firma de victima/deponente	Fecha Nota:
Interpreter	Date Si esta forma esta firmada, o no, esta DIR forma sera regis-
. 1	trada con la policia.
SO:50 PM #5021	OS-Z3-C-)
Witness or Officer	Date 0000003
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Page 2 of the NYS Domestic Incident Rep	port:
STATEMENT OF ALLEGATIONS / SUPPORTING	
Support Name (I.	es, 3 (18), M.L.)
Novalia Neur (victim/deponent name), state that on	08 1041 De7 (date) at
o (nombre de victima/deponente), declaro que en tal f	
	tate of New York, the following did occur:
donde el incidente ocurrio), el condado/ciudad/aldea/pueblo de, del esta	do de Nueva York, lo siguiente occurio:
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Konster,

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CITY OF MOUNT VERNON POLICE DEPARTMENT DETECTIVE DIVISION

INCIDENT #: 09-36534

DETECTIVE DIVISION CASE #: 1318-33

Criminal Contempt / Robbery-2nd CASE STATUS: ACTIVE

DATE REPORTED: 08-24-09 TIME REPORTED: 0529 HRS.

II. SCENE - GENERAL

- A. 1. RESIDENTIAL:
 - 2. Address:
 - a. 41 Rochelle Tr. Mount Vernon, New York
 - 3. Specific Area
 - a. Sidewalk / IFO above location.
 - b. Early morning.
 - c. Weather conditions: Clear.

III. SCENE - CRIME

- A. Physical Evidence General
 - 1. Description of evidence
 - a. One photo array of the suspect Tafari Barnett / and photo's of the victim's injuries / vouchered and secured by the undersigned detective @ H.Q. approx 2300Hrs.

IV. PEOPLE

- A. Victim
 - 1. Wright, Nordia / F / B / Age: 28YOA / DOP
 - a. Address:
 - h. Usual Occupation: Night Manager B.J's Wholesale
 - c. ACCOUNT: Refer to hand written statements.
 - 2. Douse, Dwight / M / B / Ape: 19YOA / DOB:
 - n. Address:

4 N. Y 10500

- b. Usual Occupation:
- c. ACCOUNT: Refer to attached statement
- B. All Persons on Scene
 - 1. Law Enforcement Personnel
 - a. Sgt.Marren / Pat. Div / NRR.
 - b. PO. Monge # 2066 / Pat.Div / 09-36534.
 - c. Det.Bell-Mack / DD / NRR.
 - d. Det.Baia#134 / DD / DD# 1321-33
- C. Suspects/Defendants
 - 1. Barnett, Tafari / M / B / 30YOA / DOB:
 - a. Address:

Mount Vernon, N.Y. 10550

- b. Usual occupation: N/A.
- d. description: M / B / 5'08" / 170lbs /

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V. ADDITIONAL INFORMATION:

On 08-26-2009 the undersigned detective was notified of this investigation. The undersigned detective spoke to victim#2 (Dwight) and advised him respond into H.Q. to view a photo array, and obtain a statement. Dwight advised that he would respond into H.Q. at 1500Hrs. on this date.

@ 1210Hrs. the undersigned Detective responded to Victim#1's (Nordia) Job @ located in . in an attempt to obtain a statement. (Nordia is the night Manager at said location, and works 11pm-7am). The undersigned then responded to Nordia's home at which yielded negative results. The undersigned will follow up with both parties.

On 08-27-09 @1840Hrs. Detective Boncardo#133, and the undersigned detective responded to o speak to the victim in this incident. The undersigned detective asked Nordia to confirm that Tafari Barnett was her childs father, and was in fact the person responsible for this incident. Nordia advised that it was not Tafari, and stated she responded into H.Q. (08-24-09) and completed a supplement report stating that it was another ex-boyfriend by the name of

(06-14-64). The undersigned asked Nordia how she wanted to proceed with this matter, she advised that she did not want to pursue any further police action. The undersigned asked Nordia, how Dwight (the second victim) was going to proceed with this matter, she advised that Dwight did not want to pursue either.

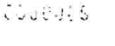
"(It should be noted that the undersigned detective did not have the written statements that were attached to the original Domestic Incident Report).

- @ 2130Hrs. the undersigned detective received a phone call from Dwight, who stated that he could come into H.Q. I stated to him that I spoke to Nordia who advised the undersigned that he did not want to cooperate. He stated that was not the case at all he received stitches for his injuries, and wanted to pursue this matter. The undersigned advised him to respond into H.Q.
- @ 2145Hrs. the undersigned asked if he knew who was responsible for this, he stated that he does not personally know the guy, however he believed his name was Tafari, and he was Nordia's childs father. The undersigned showed Dwight a photo array, where he identified Tafari Barnett (Mount Vernon Jacket # 67920A). A statement was obtained from Dwight.

The undersigned detective believes Nordia is not being truthful to this matter due to the fact of who Dwight identified, is in fact the original person named as a suspect in this incident (Tafari). Additionally a criminal history of Tafari revealed that he is actively on parole, and that there is a valid Order of protection on file between Nordia, and Tafari.

The undersigned will confer with the District Attorney's office in regards to filing charges against Nordia for falsely reporting. The undersigned will contact New York State Parole in an attempt to determine his next scheduled parole visit.

Datset form



CASE ACTIVE PENDING ARREST.

SUBMITTED BY

DATE SUBMITTED: 08-27-09.

Certified By:

MOUNT VERNON POLICE DEPARTMENT DETECTIVE DIVISION MV-61B SUPPLEMENTARY REPORT

DATE OF INCIDENT: 08-23-09

LOCATION OF INCIDENT: 41 Rochelle Terr. Mount Vernon, N.Y.

INCIDENT #: 09-36534

DETECTIVE DIVISION 61B #: 1314-33

TYPE OF OFFENSE: Robbery2nd / PL 160.10(2) A

COMPLAINANT/VICTIM: Wright, Nordia DOB:11-22-80 / Douse, Dwight 01-19-76

ADDRESS: 41 Rochelle Terr. Mount Vernon, N.Y.

TELEPHONE: (914) 752-8208

NARRATIVE:

On 08-28-09 & 2055Hrs Det.Soreca#154, Notarfrancesco#126, and the undersigned responded to 8 E 4th St. apt A14 and spoke to Claudette Dunn (Tafari's mother). Ms. Dunn advised that Tafari was not home, and would have him contact the undersigned detective.

(Tafari Burnet) as at the front desk. At this time Det. Soreca #154, and the undersigned detective responded to the front desk and escorted Tafari to the Detective Bureau. The undersigned detective asked Tafari what his hand preference was, and he advised that he was right handed. At this time Tafari was advised of his Miranda warnings. Tafari understood his rights and waived his right to council. The undersigned asked where he was on the date of this incident 08-23-09 @ approx.
0529Hrs. Tafari advised that he was home, because he now has a curfew and had to be home by 9PM. And could leave his home by 7AM. The undersigned detective asked Tafari when the last time he spoke to Nordia Wright, he stated "she was the reason why he just came out from doing three years. I ain't messing with her she has an order of protection against me". (*It should be noted tha while Tafari was serving his most recent prison sentence he was convicted of Agg. Harrasment 2nd by communicating with Nordia Wright by letter refer to incident #08-36167).

The undersigned explained to him that he was identified in this case, Tafari stated that he couldn't believe this because he is on Parole. At this time the undersigned had Tafari place both of his hands on the table. Upon doing so Del Soreca observed a healing cut on his left middle finger knuckle. Tafari could not explain where he received the cut from, he stated simply "don't know". The undersigned photographed Tafari's hands, and concluded our interview. Tafari continued denying involvement in this matter.

2145Hrs. Tafari was placed under arrest and escorted to the cell block area. While processing Tafari the undersigned detective was taking a mugshot photo of Tafari. Upon completion of taking photo's Det.Soreca had Tafari sign his property receipt. Det.Soreca handed Tafari the pen and noticed that he took the pen, and signed the receipt with his left hand. Tafari again signed with his left hand during the printing process. The photo's of Tafari's, hand and his Miranda form were submitted as evidence, by the undersigned detective. Tafari was booked on Robbery-2nd by Sgt.Dellamura.

Det Sot dik ".

U.COST:

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CONCLUSION:

CASE CLOSED BY ARREST..

DATE SUBMITTED: 08-28-09.

INCIDENT#: 09-36534

CERTIFIED BY: Pet Set fough (

POLICE DEPARTMENT) TIME STARTED: 2150Hrs.
CITY OF MT. VERNON) TIME FINISHED: 2250Hrs.
COUNTY OF WESTCHESTER) SS. DATE: 08-27-09
STATE OF NEW YORK) INCIDENT: 09-36534

CASE #: 1318-

NOTICE: The making of false statements in this instrument is punishable as a Class A Misdemeanor pursuant to Section 210.45 of the New York State Penal Law.

I, the undersigned Dwight Douse do reside and 1 am 33
years of age being born on 11-19-76. I am presently employed at Self employed the name of
I have a home phone number of I do hereby make the statement to Detectives Bais #134, and
Detective Boncardo#133 knowing them to be members of the Mount Vernon Police
Department.

- Q. Dwight the Mount Vernon Police Dept. is currently investigating an Robbery incident that Occurred in the early morning hours of 08-23-09 @ 0529Hrs in front of 41 Rochelle Terrace Mount Vernon N.Y. That of which you were a victim of in your own words can you describe to me exactly what happened?
- A. Me and my brother, Omar Douse went to Dazzles bar in Mount Vernon, that's when we met up with Nordia Wright, and her sister Dahlia. At the end of the night they asked for a ride home so I took my brother to the Bronx. Then I went to 41 Rochelle Terrace to drop off Nordia, and her sister Dahlia. Dahlia went inside the house, while Nordia, and I we sitting in my car in front of Nordia's house. That's when this guy opened my door I looked at him, and he just started punching me in the face bard, in both of my eyes. I didn't know what was going on. Then he pulled me out of the car and took my "Gucci" belt, he went into my pockets and took my money from my left front pocket about \$60-\$70, and he took my "Gucci" slippers from my feet, he took my wedding band from my hand, I had a silver "Guess" watch with a black band, and another ring I had in my car. I was trying to push him off but he kept hitting me. I think he used my windshield rear view mirror, because the next day I noticed the mirror was off and on the front seat.
- Q. Dwight can you describe the rings he took?
- A. My, wedding band was white gold, and it had diamonds in it.
 The other ring in the car was a sliver ring with blue and yellow CZ in the shape of a rectangle it was not real diamonds.
- Q. Dwight what did he do after he finished taking your things?
- A. I don't know what, or where he went.
- Q. Just before taking this statement Dwight I showed you a photo array did you recognize anyone?
- Yes number 1, that's the guy that kept punching me.

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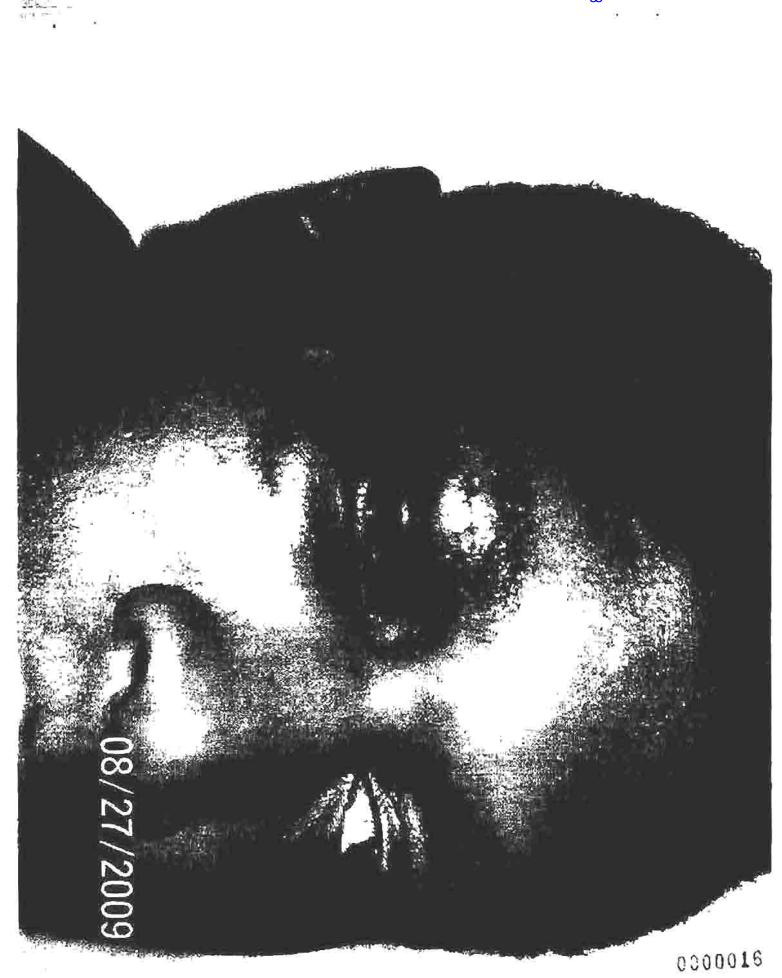
- Q. Dwight this person is known to the Mount Vernon Police Dept. as Tafari Barnett do you know who this party is?
- A. I don't know him , but I heard that it's her babies father.
- Q. In Nordin's original Police Report she lists Tufari Barnett as the suspect, do you recall her telling Officer Monge this?
- A. Tell you the truth, after I took those hits I wasn't really paying attention to Nordia.
- Q. Dwight did you receive any medical treatment for you injuries?
- A. Yes, I got about 15 stitches in total around my right eye, my left eye was a lilite cut, but it was swollen. The Dr. gave me a prescription for antibiotics, three presciprions for my eyes (eyedrops).
- O. Dwight you received stitches was there any blood in your car?
- Yes, but I had the car cleaned because of all the blood, that's when I noticed the rearview mirror was broken.
- Q. Dwight I have to ask you, did you tell this to the officer that took the original report?
- A. I don' really remember I was in a lot of pain that night.
- Q. Dwight what kind of car were you in when this happened?
- It was a 2008 Green Hyudai Senata.
- O. Dwight do you have anything further to add to this statement?
- No.l just want to go home because my head hurts.

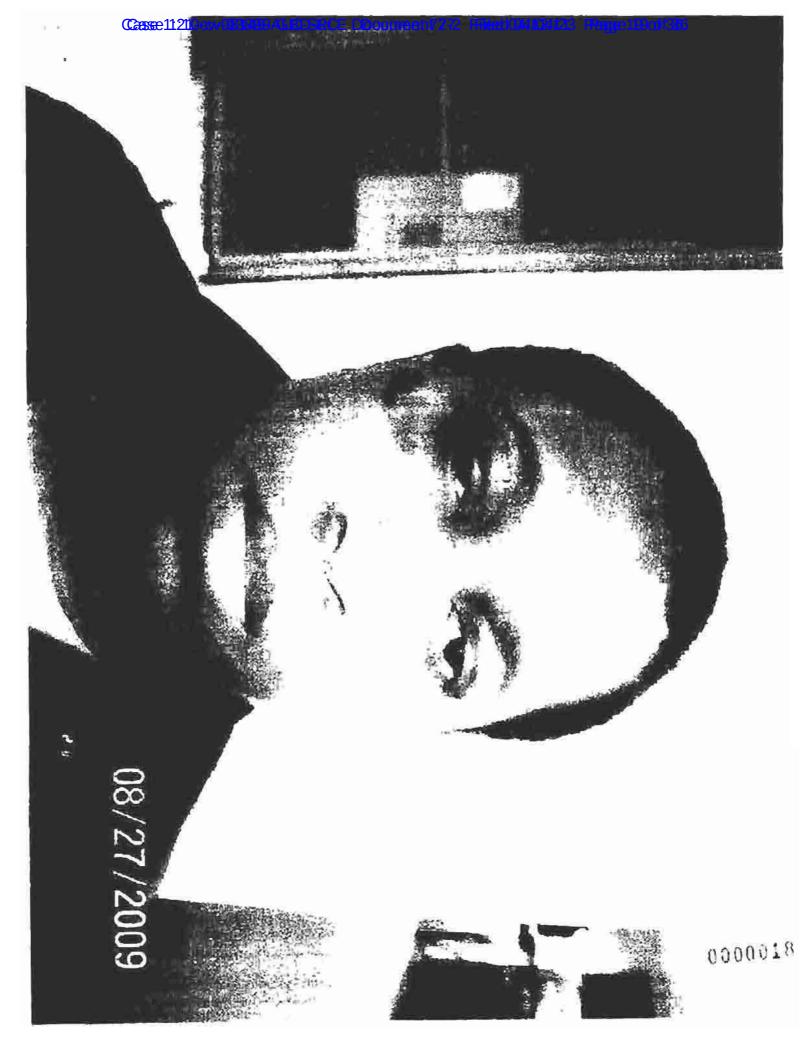
Dwight Douse: 1 08-27-09.

Det.Baia#134: Dt. 1 Jul 7 124 . _____ 08-27-09.

Det. Boncardo#133: 50 / 08-27-09

Police Photo Lineup





	E [1 or nem 09-365		Robbery-2"
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8-23	-09	TIME 2120HRS	1	CASE No. 13/8-3
		IRANDA WARNIN	IG — YOUF	RIGHTS
Name:	TAFARI	BALNETI		D.O.B.:
Address		· č		
1. YO	U HAVE THE R	IGHT TO REMAIN SI	LENT.	
	YTHING YOU S LAW.	AY CAN AND WILL	BE USED AGA	AINST YOU IN A COURT
		IGHT TO TALK TO A YOU ARE BEING QU		D HAVE HIM PRESENT
		FFORD TO HIRE A L BEFORE ANY QUES		E WILL BE APPOINTED TO YOU WISH.
REP	PRESENT YOU	BEFORE ANY QUES	TIONING, IF Y	OU WISH.
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EXHIBIT B

Casse 11.2110 cov 03313499 ACLB DESIR CE DiDocumenti 7.272 Hiller 10.041/0241213 Harpe 2222 of 1386 DOCUMENT ELECTRONICALLY FILED PRO SE OFFICE 10 Civ. 3899 AMENDED COMPLAINT under the Civil Rights Act, 42 U.S.C. § 1983 (Prisoner Complaint) Jury Trial: & Yes D No. (check one)

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

TAFARI BARNETT

Plaintiff					
(In the space above enter the full name(s) of the plaint(ff(s).)					
-against-					
MOUNT VERNON POLICE DEPT., DET. BAIA,					
DET. BONCARDO,					
Defend	ants				
(In the space above enter the full name(s) of the defenda cannot fit the names of all of the defendants in the space please write "see attached" in the space above an additional sheet of paper with the full list of nomes listed in the above caption must be identical to those of	ce provided, d attach an The names				

I. Parties in this complaint:

List your name, identification number, and the name and address of your current place of A. confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary

Plaintiff Name TAFARI BARNETT ID# 47141 Current Institution WESTCHESTER COUNTY JAIL Address P.O. BOX: 10, VALHALLA, NY 10595

B. List all defendants' names, positions, places of employment, and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant	No. 1	Name Mount Vernon Police Dept., Where Currently Employed	
		Address 2 Roosevelt Square, 2nd fl.,	
		Mount Vernon, NY 1.0550	
Defendant	No. 2	Name Det. Enzo Baia	Shield #_ 134_
		Where Currently Employed Mt. Vernon Police	
		Address 2 Roosevelt Square, Mt. Vernon	
Defendant	No. 3	Name Det. Boncardo	Shield # 133
		Where Currently Employed MT. Vernon Police	Dept.
		Address 2 Roosevelt Square, Mt. VERNO	N,NY 10550
Defendant	No. 4		
Detendan	NO 4	Name Where Currently Exployed	
		Address	
Defendant	No.5	Name	Shield #
		Where Currently Employed	
		Address	
II. Sta	tement of C	Claim:	
caption of the You may write to your	his complain ish to include claims De	the facts of your case. Describe how each of the defe t is involved in this action, along with the dates and locations of the further details such as the names of other persons involved not cite any cases or statutes. If you intend to allege a number of claim in a separate paragraph. Attach additional sheets of	of all relevant events, I in the events giving her of related claims,
A In v	what instituti	on did the events giving rise to your claim(s) occur? MT.	VERNON POLICE
DEPT.	2 Roos	evelt Square ,MT. Vernon,NY 10550	
B. Wh	ere in the in	stitution did the events giving rise to your claim(s) occur?	IN THE
		, INVESTIGATION ROOM	
		opproximate time did the events giving rise to your claim(s) of the property o	occur? ON

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FACTS:

On August 27,2009, between the hours of 9:45 pm and 10:50 pm, Mount Vernon Det. Baia (Sh # 134) and Det. Boncardo (Sh # 133), interviewed an assault victim (Dwight Douse) regarding an incident, (Incident No. 09-36534, Case # 1318).

During the interview with the victim Dwight Douse, the two aboved mentioned Detectives showed Mr.Douse a six pack array containing plaintiffs photo. The photo array that was used by Detectives in that interview, was a photo array that had the plaintiffs photo already circled as No.3, and it was also signed an Dated by (MALCOM JEFFERSON) the victim in the plaintiff felony case from 2007, That the plaintiff is courently on parole for. (PLEASE SEE PHOTO ARRAY ATTACHED, EXHIBIT No. 1).

The victim Mr. Douse was coerced into his identifiecation of the plaintiff (Mr. BARNETT) on the photo array shown to him by above mentioned Detectives. The victim clearly stated to Det. Baia and Det. Boncardo, that it was suspect No. 1 on that photo array that assaulted and robbed him. But Detectives proceeded to tell the victim that No.1 on said photo array is known to the Mt. Vernon Police Dept. as "TAFARI BARNETT", but plaintiff phot was No. 3 on photo array not No.1. (PLEASE SEE VICTIM STATEMENT MADE ON 8/27/09, ATTACHED, EXHIBIT No.2).

Even though there was no warrant issued for plaintiffs arrest, Mr.

Barnett was still arrested and charged with robbery in the 2nd Degree on 8/28/09.(PLEASE SEE FELONY COMPLAINT, EXHIBIT No.3).

At second felony hearing on 9/23/09, the charges was reduce from a felony to a Misdemeanor.(PLEASE SEE SUPERSEDING MISDEMEANOR INFORMATION, EXHIBIT No.4).

Four mounths after the plaintiff was arrested, their was a Wade hearing in the Mount Vernon Criminal Court on 1/4/10, At that Wade hearing the District Attorney, interduce a second six pack photo array into evidence, with plaintiffs photo as No.1, the date on that photo array is 8/23/09, the date of said incident, but in statement made by victim on 8/27/09, he stated that the person that assaulted him was No.1, The victims statement was made on the same date he was shown that photo array, which was 8/27/09, not 8/23/09.

(PLEASE SEE SECOND PHOTO ARRAY, EXHIBIT No.5, AND ALSO LOOK BACK TO EXHIBIT No.2).

The victim also made a statement to plaintiffs parole officer.

parole officer Gibbs, on the date of plaintiffs first felony hearing on 9/8/09, stating that the person that assaulted him" Was tall, chubby, dark skin and head was shave bald with his face lined with facial hair". (PLEASE SEE STATEMENT TO PAROLE OFFICER, EXHIBIT No.6).

I have been in jail on this case since 8/28/09, and the case is still pending in the Mt. Vernon criminal Court.

	informed, when and how, and their response, if any
G.	Please set forth any additional information that is relevant to the exhaustion of your administrative remedies
	There was no Administrative Remedies to Exhaust.
Note:	You may attach as exhibits to this complaint any documents related to the exhibits of your administrative remedies
v.	Relief:
you are	hat you want the Court to do for you (including the amount of monetary compensation, if any, that seeking and the basis for such amount). The Plaintiff Mr. Barnett is seeking
_ IR	order of protection against Det.s Baia and Boncardo in fear of aliation, and montary damages in the amount of \$ 250.000.00
sui	lers for false imprisonment, falseified evidence, stress, pain and fering, and the violation of plaintiffs State and Federal
	utitutional Rights
-	

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VI.	Previous lawsuits:			
۸	Have you filed other lawsuits in state or federal court dealing with the same facts involved in thi action?			
	Yes No X			
В	If your answer to A is YES, describe each lawsuit by answering questions 1 through 7 below. (I there is more than one lawsuit, describe the additional lawsuits on another sheer of paper, using the same format.)			
	I. Parties to the previous lawsuit:			
	Plaintiff			
	Defendants			
	Court (if federal court name the district; if state court, name the county)			
	3 Docket or Index number			
	4 Name of Judge assigned to your case			
	5 Approximate date of filing lawsuit			
	6. Is the case still pending? Yes No			
	If NO, give the approximate date of disposition			
	7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?)			
C.	Have you filed other lawsuits in state or federal court otherwise relating to your imprisonment? Yes No _X If your answer to C is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same format.)			
	1. Parties to the previous lawsuit:			
	Plaintiff			
	Defendants			
	Court (if federal court, name the district; if state court, name the county)			
	Docker or Index number			
	Name of Judge assigned to your case			
	5. Approximate date of filing lawsuit			
	6. Is the case still pending? Yes No			
	If NO, give the approximate date of disposition			

7. W	hat was the result of the case? (For digment in your favor? Was the case	example: Was the case dismissed? Was there appealed?)
I declare under p	enalty of perjury that the foregoin	g is true and correct.
Signed this 1 da	y of may . 2010	
	Signature of Plainiff	Jafan Barnett
	Immate Number	47141
	Institution Address	P.C. BOX: 10
		Valballa Ny , 10595
		Westchester County Jail
their unna I declare under pe	nalty of perjury that on this A daries authorities to be mailed to the P	y of
	Signature of Plaintiff	Japan Barnett
ELIZASETH ST Motory Public, State No. 0187605 Commission Expires Nove Subapriled and affirmed to of vestalessing date of high	of How York 0907 Islan County	

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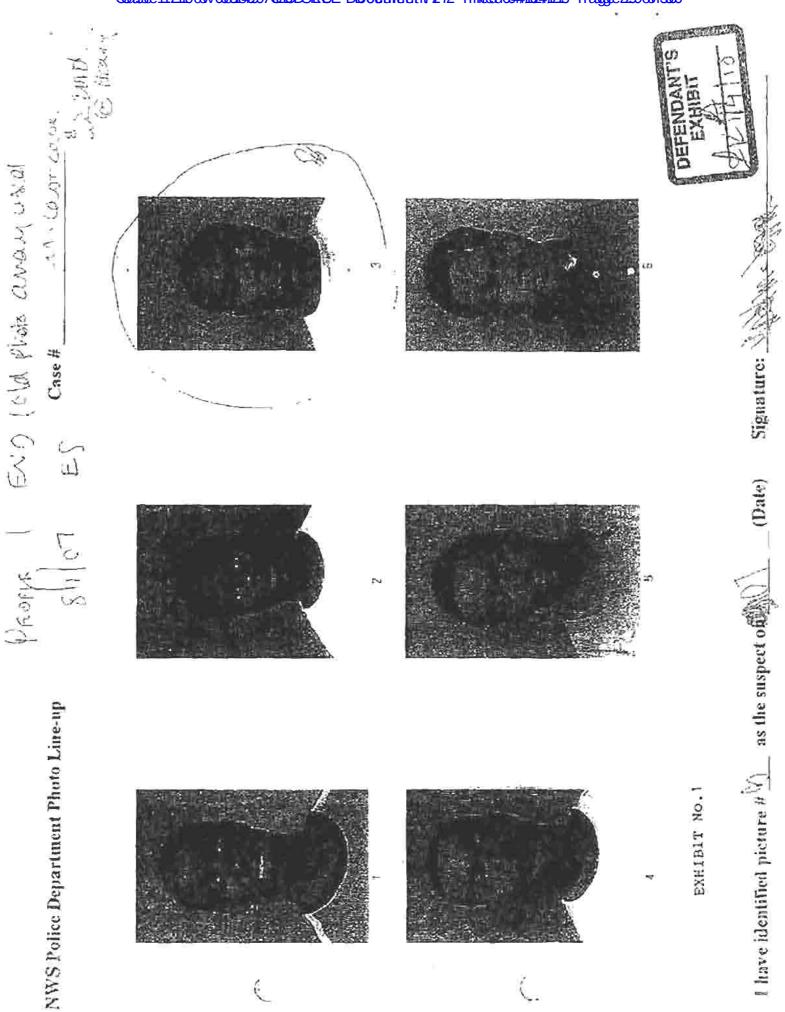


EXHIBIT No. 2

Q.	Dwight this person is known to the Mount Vernon Police Dept. as Tafari Barnett do you know who this party is?		
Α.	I don't know him , but I heard that it's her babies father.		
-Q.	In Nordia's original Police Report she lists Tufari Barnett as the suspect, do non recall her telling Officer Monge this?		
A.	Tell you the truth, after I took those hits I wasn't really paying attention to No. dia.		
-Q.	Dwight did you receive any medical treatment for you injuries?		
,Λ.	Yes, I got about 15 stitches in total around my right eye, my left eye was a liftle cut, but it was swollen. The Dr. gave me a prescription for autibiotics, three prescriptions for my eyes (eyedrops).		
Q.	Dwight you received stitches was there any blood in your car?		
1.	Ves, but I had the car cleaned because of all the blood, that's when I noticed the rearview mirror was broken.		
Q.	Dwight I have to ask you, did you tell this to the officer that took the original report?		
A. Q.	Dwight what kind of car were you in when this happened?		
A.	It was a 2008 Green Ryndsi Senata.		
Q.	Dwight do you have anything further to add to this statement?		
A.	No,I just want to go home because my head hurts.		
	Dwight Douse:		

EXHIBIT No. 2

FOLICE DEPARTMENT) TIME STARTED: 2150Hrs.
CITY OF MT. VERNON) TIME FINISHED: 2250Hrs.
COUNTY OF WEST CHESTER) SS. DATE: 08-27-09
STATE OF NEW YORK) INCIDENT: 09-36534

CASE #: 1318-

NOTICE: The making of false statements in this instrument is punishable as a Class A Misdemennor pursuant to Section 210.45 of the New York State Fenal Law.

I, the undersigned Dwigh	Donse do reside at	and I am
years of age being born on	I ar presently employed	d at Self emiloyed the name of
m, business in	I are presently employed I have a home phone num I do hereby make the statemen	ber of and my
work phone is:	I do hereby make the statemen	nt to Detectives Bulu #134, and
Detective Boncardo#133 k	nowing them to be members of the	Mount Veruon Police
Department.		

- Q. Dwight the Mount Vernon Police Dept. is currently investigating an Robbery incident that Occurred in the early morning hours of 08-23-09 @ 0529Hrs in front of 41 Rechelle Terrace Mount Vernon N.Y. That of which you were a victim of in your own words can you describe to me exactly what happened?
- A. Me and my brother, Omar Douse went to Dazzles bar in Mount Vernon, that's when we met up with Nordia Wright, and her sister Dablia. At the end of the night they asked for a ride home so I took my brother to the Bronz. Then I went to 41 Rochelle Terrace to drop off Nordia, and her sister Dablia. Dablia went inside the house, while Nordia, and I we sitting in my car in front of Nordia's house. That's when this guy opened my door I looked at him, and he just started punching me in the face hard, in both of my eyes. I didn't know what was going on. Then he pulled me out of the car and took my "Gucci" belt, he went into my pockets and took my money from my left front pocket about \$60-\$70, and he took my "Gucci" silppers from my feet he took my account pand from my hand. I had a suffer "Guess" watch with a black band, and another ring I had in my car. I was trying to push him off but he kept hitting me. I think he used my windshield rear view nitror, because the next day I noticed the intror was off and on the front seat.
- Q. Dwight can you describe the rings he took?
- A. My, wedding band was white gold, and it had diamonds in it.
 The other ring in the car was a silver ring with blue and yellow CZ in the shape of a rectangle it was not real diamonds.
- Q. Dwight what did he do after he finished taking your things?
- A. I don't know what, or where he went.
- Q. Just before taking this statement Dwight I showed you a photo array did you recognize anyone?
- Yes number 1, that's the guy that kep- punching me (1) I a-

			~
W.	STATE OF NEW YOR COUNTY OF WEST	CHESTER (
	THE PEOPLE OF THE STATE OF NEW YOR	K C 7	3530
	Against TAFARI BARNFTT 04-09-79	EXHIBIT No.3	
	8 F. 4 TH ST APT & 14 MOUNT VERNON, N.Y. 10550		

[lefendar i(n)

Be it known that the complainant herein DET Rais#134 of the Mount Vernon Police Department access the effection (a) named above of the following offences committed at 41 Rochelle Terrace in the City of Mt. Vernon family of Westebester, N.Y. on the 23rd day of August , 200% at about 0:20 Hrs.

Count One; Robbery 2nd / Pl. 160.10 (2) a

Facts: A person is guilty of tobbery in the sound degree who, he formbly steam properly and what 2. In the course of the commission of the crime of dimmediate hight there'ron, he of models participant in the crime:

fa, Causes physical injury to any person who is not a participant in the corre-

TO WIT: The defendant did repeatedly punch Dwight Douse in the face, drag Dwight from his vehicle continue to junch him, and fourbly take his property from his person. The victor, sustained multiple cuts, and swelling to his eyes, requiring approximately 15 strehes on the above due and time.

<u>"LANE TAKE NOTICE, that in accord with Section 710.30 of the Criminal Procedure Law, the District Attorney</u> oby given notice to offer in evidence during the trial of this matter, all admissions and confessions made by the industrial matter all identification evidence.

above allegations of fact made by the complainant herein on information and belief with the is of the complainant information and the grounds for his belief being direct knowledge.

ICE: PERSUANT TO THE PENAL LAW, SECTION 210.45 IT IS A CRIME PUNISHIBLE AS A CLASS A SEMEANOR TO KNOWINGLY MAKE A FLASE STATEMENT HEREIN.

Iel.Baia. #184.

EXHIBIT No.4

CITY COURT CITY OF MOUNT VERNON COUNTY OF WESTCHESTER

Incident No: 09-36534

TOP/Non-Fam. Dwight Douse

SUPERSEDING MISDEMEANOR INFORMATION

THE PEOPLE OF THE STATE OF NEW YORK -against-

TAFARI BARNETT 8 East 4th Street, apt. A14, Mount Vernon, New York 10550

4/9/79 Defendant(s)

Be it known that the complainant herein Detective Baia, of the City of Mount Vernon Police Department, Westchester County, New York, accuses the detendant(s) named above of the following offense(s) committed at 41 Rochelle Terrace, City of Mount Vernon, New York at about 8/23/09 at approximately 5:29 a.m.

COUNT ONE: The Offense of PETIT LARCENY, a violation of Penal Law PL 155.25 AMC COUNT TWO: The Offense of ASSAULT IN THE THIRD DEGREE, a violation of Penal Law PL 120.00 01 AM3

COUNT THREE, The Offense of HARASSMENT IN THE SECOND DEGREE, a violation of Penal Law PL 240.26 01 0V2

The Defendant(s) he/she steals property. The Defendant(s) with intent to cause physical injury to another person, he/she causes such injury to such person or to a third person. Assault in the third degree is a class A misdemeanor. The Defendant(s) with intent to harass, annoy and alarm another person, he/she strikes, shoves, kicks or otherwise subjects such other person to physical contact, or attempts or threatens to do the same.

To wit: The defendant(s) at the above date, time? I chace, with the intent to cause physical injury to Dwight Douse, did drag Dwight Douse out of the front passenger seat of a motor vehicle and proceeded to punch Mr. Douse repeatedly about the head and face causing Mr. Douse to blackout 4t that time the Lefendant whole property on the person of Mr. Douse, to wit, approximately \$70.00 USC, a Gucci belt, Gucci shoes, 2 rings and a Guess watch. As a result of the defendant's actions, Mr. Douse required immediate medical attention and (12) stitches to the right side of his face as well as substantial pain, bruising and swelling.

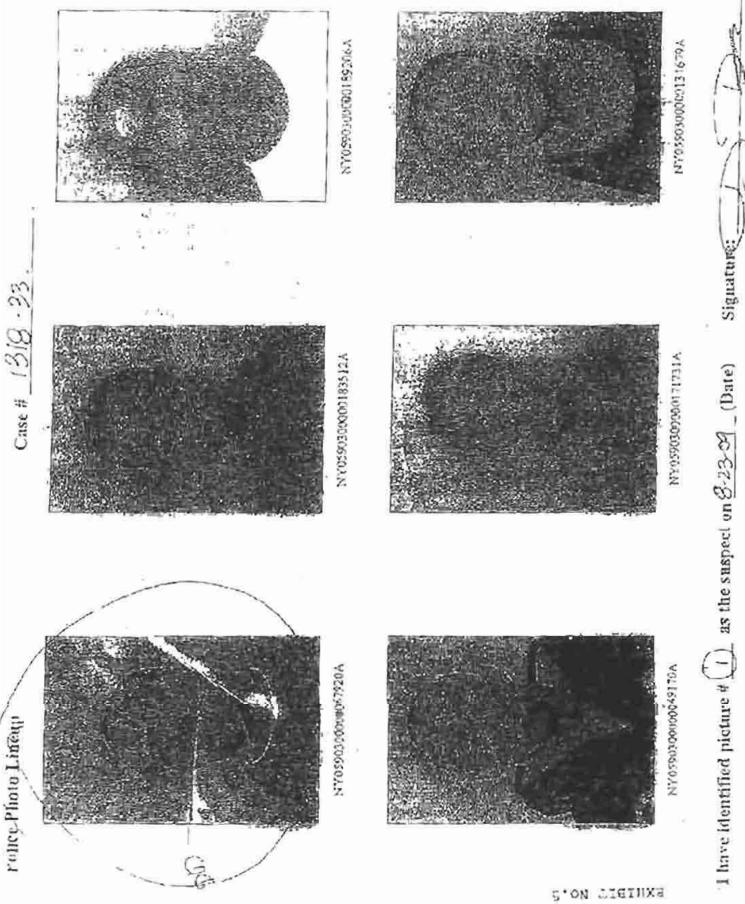
The above allegation(s) of fact are made by the complainant herein based upon the attached supporting depositions of Dwight Douse and Nordia Wright.

NOTICE: PURSUANT TO THE PENAL LAW, SECTION 210.45, IT IS A CRIME PUNISHABLE AS A CLASS A MISDEMEANOR TO KNOWINGLY MAKE A FALSE STATEMENT HEREIN.

12] Mun #134

September 23, 2009

Signed



I have identified picture # [1] as the suspect on 8-23-39 (Bate)

EXHIBIT No. 6

STATE OF NEW YORK - EXECUTIVE DEPARTMENT - DIVISION OF PAROLE VIOLATION OF RELEASE REPORT

NAME: Burnett, (41an NYSID NO. 48566413)

NYSID NO. 48566411N DIN NO.: 07 A 5594

Cast Summars

Tafari Burnes (In 20 seas old main serving a 1-0-0 year sentence based on his conviction for Asshull 2. He was sentenced in Westerester Supreme Court by Judge Neary of 10/20/2. Supreme will reach his Post-Retease has Expiration date on 3/24/12.

Chiefe at S. 1942 P. ment offense. (Nee Altschieft)

Current Adjustment: Subject was purosed on 7-74309 and during this brief period the seemes to have been making a fair adjustment. Aprile Iron, has \$-78009 ariest, the only appropriate concern that far was his curlety violation on \$/18/29.

Reporting Status: Subject was a weekly reject status and reported as directed. Subject appeared popperative and manner able when reporting

Residence: Subject resided at a Euro of Street up. # 14 Mr. Vernou with its moster. He was seen in the house on \$21/09 and no problems were reported unring this vetil.

Special Conditions:

Subject his yet to gain employment but his applied for DSS. Subject has a circle with imposed at 9 pm to 7 am. As mentioned, he violated his curfew on 8/18/09 where3 type view was made at 9/30 pm. Subject claimed a reliative took him shopping and they got such a traffic.

Subject logals assess that the stage is the property of the Fight Place M. Verron NY and his progress report indicates be attend of presents.

Violator Hehavior

On 8/21/09, an arrest notice was received in the New Rocaclle Area Office interming that or 8/28/09 subject was arrested for a crume having occurred on 8/21/09 at about 5.29 am. It is alleged that subject dragged one Dought Douse out of the front passenger seat of a venicle and proceeded to panch him repeatedly about the head and face, causing Mr. Douse to blockout. Subject reportedly stule property from the victim's person.

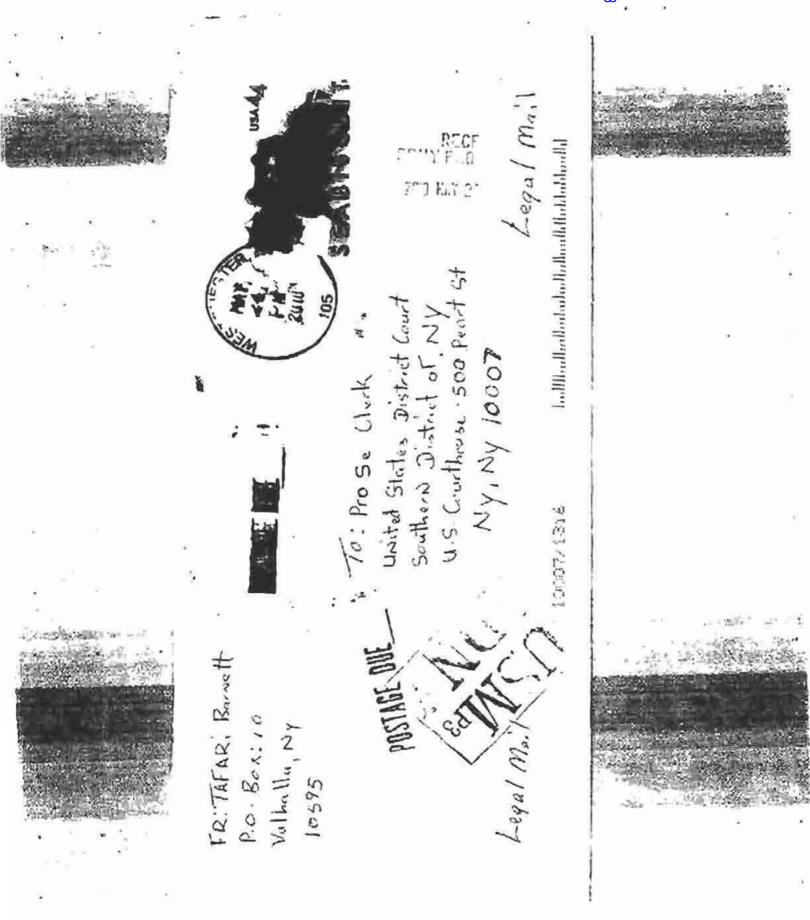
Victim Statement (See Attached)

I want out diabling any brother the night of the incident, we left the club together and I drop him off home and then went buck to the club to pack up Noona and her sister. Dalillo to drop them home. Noth and I were nitting in my rac cluding and talking, while I was related with my head nack. I saw a fer pass with two engs, then I hav a guy approach my out, open the door and gran into our me I look at him to see what was going down, then he much me in my recently to panel kneet, me out but he contained to keep on punching me in my face and I wan bloogy and coock out mad.

He then took my content bett, crucks supper, cell phones, can keys along with my can money I had on me and left me to dec. He was tall, climbby, dark skin and his bend was shave hald with his face line with hand large.

Parolee's Statement

According to the tribjert on the south Matthew dentity and totally dented the charges. He stand that Night one of the gels with Done of his son's mother was falsely.



Company of the Compan